



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,884	10/15/2001	Reguzzi Luigi		3453

7590 10/03/2003  
James V. Costigan  
Hedman & Costigan, P.C.  
1185 Avenue of the Americas  
New York, NY 10036

EXAMINER

HOWELL, DANIEL W

ART UNIT	PAPER NUMBER
----------	--------------

3722

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/977,884

Applicant(s)

LUIGI, REGUZZI

Examiner

Daniel W. Howell

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3722

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the weight compensation system of claim 5, the brushless motor, epicycloidal reducing unit, guiding wall, and ball recirculating shoes connected to a drum as set forth in claim 6, rollers having a vertical axis and the brushless control motor of claim 7, the opposite shafts, motor reducing assembly, two gears meshing with a vertically extending rack coupled to a column of claim 8, the vertical axis rollers and kinematic driving assemblies of claim 9, the two horizontal arms and two rodless cylinders of claim 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The last full paragraph of page 6 seems to say that the two plurality of rollers are driven vertically by corresponding brushless motors (and most of this structure has not been illustrated). The first full paragraph of page 7 states that rollers 12 and 20 are vertically displaced by a motor 14 through opposite shafts. While the drawings don't even show any rollers numbered as 12, and the specification

Art Unit: 3722

never again mentions rollers 12, it is now completely unclear if these rollers are moved vertically by their own motors as stated on page 6 or if they are moved vertically by a single motor 14. Further, it is not clear what constitutes the opposite shafts, or how these opposite shafts, motor reducing assembly, end portions, gears, rack and column cooperate to permit vertical movement of the rollers. The specification simply does not clearly explain how these rollers are moved vertically.

The second full paragraph of page 7 states that abutment rollers 13 are driven horizontally “by kinematic assemblies similar to those which are hereinabove disclosed....” Since none of the prior disclosed structure is clearly disclosed, the structure for moving the abutment rollers horizontally is also not remotely clearly disclosed.

The paragraph beginning, “The assembly,” at the bottom of page 7 discloses two arms 26 for supporting the rollers 20, but it is not clear what the two rodless cylinders in the column 19 actually do, or how they appear. The top of page 8 states that the cylinders are for compensating for the weight of the assembly, but the specification does not remotely clearly explain how this is accomplished.

The third full paragraph of page 7 states that rollers 25 can be adjusted, but absolutely no explanation of what structure accomplishes this adjusting has been disclosed.

Claim 1 sets forth “holding means applied to vertical uprights and defining a fixed supporting wall....” The specification does not disclose what elements constitute such “holding means,” or how they define a fixed supporting wall.

Art Unit: 3722

Claim 5 states that the turret supporting element is supported by an automatic weight compensation system, but the specification has no disclosure of this, or how such a weight compensation system would work.

4. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. On lines 2-3 of claim 1, "or the like" should be deleted, as the scope of this phrase can not be determined. Lines 8-9 of claim 1 state that the top horizontal guiding means are movable vertically, but the claim does not set forth means to perform this vertical movement. Claim 1 sets forth "abutment means at said horizontal guiding means," but it is believed that the abutment means 13 are separate from the horizontal guide means. It is believed that "top" should be inserted after --said-- on line 9 of claim 1 in order to provide consistent language. Claim 1 should set forth means for moving the abutment means along the z axis. Line 17 of claim 1 does not clearly set forth means to permit adjusting of the position of the bottom guide means. Lines 12-14 of claim 1 set forth "holding means." It is not at all clear what structure constitutes "holding means," nor is it clear how the holding means "defines a fixed supporting wall." It is not clear where the weight compensation system of claim 5 is located, as this structure has not been clearly disclosed. As explained above, dependent claims 7 and 8 do not clearly set forth the structure which apparently moves the rollers vertically. On line 5 of claim 7, "said" should be inserted before --top--. Claim 7 states that the "panel is held in a vertical position." Any treatment of the "holding means" of claim 1 may require a corresponding change to this section of claim 7. The "conveyor belt" of claim 7 does not have antecedent basis. It is not clear how the driving motor, motor reducing assembly, opposite shafts, gears, and rack of

Art Unit: 3722

claim 8 operate to move the rollers vertically. Also in claim 8, it is not clear what is meant by "perfectly parallel relationship." Claim 9 does not clearly set forth the structure for moving the abutment rollers horizontally. Claim 9 seems to say that the vertical axis rollers of claim 7 are the abutment rollers, but it is believed that this is incorrect. The fourth paragraph of page 6 sets forth two pluralities of rollers on the top horizontal guide means 11. Page 7 discloses the abutment rollers 13, which are supported by section member 21, which is not part of the top horizontal guide means. The conveyor belt of claim 10 does not have antecedent basis. Claim 10 should more clearly state that the plurality of holding wheels are actually part of the "bottom guide means" of claim 1, not some other part. Also, it is not clear how these rollers form a fixed supporting wall. Claim 11 should more clearly state that the bottom horizontal cross member is the same as the bottom guiding means of claim 1, and means to adjust the position of the guide rollers should be clearly set forth. The rollers of claim 12 do not have antecedent basis. It is not clear how the horizontal arms and rodless cylinders of claim 12 are arranged to compensate for the weight of the assembly.

5. The examiner has performed a complete search, and the closest art of record has been cited. While the claims have not been rejected under art, in view of the present condition of the specification and claims, the examiner will decline to comment on allowable subject matter. The examiner will wait to see how the application is amended and then make that determination.

6. Any inquiry concerning the content of this communication from the examiner should be directed to Daniel Howell, whose telephone number is 703-308-1728. The examiner's office hours are typically about 10 am until 6:30 pm, Monday through Friday. The examiner's supervisor, Andrea Wellington, may be reached at 703-308-2159.

Any inquiries concerning other than the content of this and previous communications, such as missing references or filed papers not acknowledged, should be directed to the Customer Service Center for Tech Center 3700 at 703-306-5648.

Art Unit: 3722

In order to reduce pendency and avoid potential delays, Group 3720 is encouraging FAXing of responses to Office actions directly into the Group at FAX number 703-872-9302. Official faxes for After Final amendments should be sent to 703-872-9303. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Daniel Howell of Art Unit 3722 at the top of your cover sheet.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-308-1148.



Daniel W. Howell  
Primary Examiner  
Art Unit 3722